

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

ALONSO TISDALE	§	
	§	
v.	§	CIVIL CASE NO. 4:22-CV-286
	§	
ENHANCED RECOVERY	§	
COMPANY, LLC, ET AL.	§	

**MEMORANDUM ADOPTING THE REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On January 17, 2023, the Report of the Magistrate Judge, (Dkt. #72), was entered containing proposed findings of fact and recommendation that Defendants’ Motions to Dismiss be granted in part and denied in part; that Plaintiff Alonso Tisdale’s Motion to Compel Arbitration be denied; and Plaintiff’s complaint be dismissed without prejudice. Having assessed the Report, and no objections thereto having been timely filed, the Court determines that the Magistrate Judge’s Report should be adopted.


It is therefore **ORDERED** that:

1. Enhanced Recovery Company, LLC’s Motion to Dismiss Complaint, (Dkt. #24), is **GRANTED** to the extent it seeks to dismiss Plaintiff’s claims pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure;
2. Receivables Performance Management, LLC’s Motion to Dismiss Pursuant to FRCP 12(b)(1) and Motion for Judgment on the Pleadings, (Dkt. #31), is

**GRANTED** to the extent it seeks to dismiss Plaintiff's claims pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure;

3. United Revenue Corporation, LLC's Motion to Dismiss Pursuant to FRCP 12(b)(1) and Motion for Judgment on the Pleadings, (Dkt. #32), is **GRANTED** to the extent it seeks to dismiss Plaintiff's claims pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure;
4. Credit Management, LP's Motion to Dismiss Pursuant to FRCP 12(b)(1) and Motion for Judgment on the Pleadings, (Dkt. #33), is **GRANTED** to the extent it seeks to dismiss Plaintiff's claims pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure;
5. Credence Resource Management, LLC's and Guydini Enterprises, Inc.'s oral Motions to Dismiss, *see* (Dkt. #51) (memorializing oral motion at hearing, Minute Entry of June 21, 2022), are each **GRANTED** to the extent they seek to dismiss Plaintiff's claims pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure;
6. Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE for lack of subject-matter jurisdiction**; and
7. Plaintiff's Motion to Compel Arbitration and Stay Proceedings, (Dkt. #55), is **DISMISSED for lack of subject-matter jurisdiction**.

**So ORDERED and SIGNED this 7th day of February, 2023.**

  
SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE